

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

vs.

DAVID RICE

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CRIMINAL ACTION

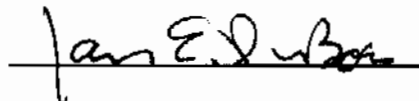
NO. 11-344-01

ORDER

AND NOW, this 28th day of November, 2011, upon consideration of Defendant Rice's Motion to Modify Pretrial Detention Order (Document No. 40, filed November 1, 2011), and the Government's Response to Defendant's Motion for Modification of Pretrial Detention (Document No. 41, filed November 1, 2011), and following a Hearing on November 18, 2011, **IT IS ORDERED** that, for the reasons set forth in the Court's Memorandum of November 28, 2011, Defendant Rice's Motion to Modify Pretrial Detention Order is **DENIED**.

The Court did not inform defendants of their right to appeal the Court's decision on their motions for pretrial release at the hearing on November 18, 2011, because the two motions were taken under advisement. Defendants have a right to appeal this decision if they believe the Court committed error in denying their motions. Should they decide to appeal, they must file a notice of appeal in this Court within fourteen days. Fed. R. App. P. 4(b)(1)(A). If defendants' counsel are retained and defendants cannot afford to continue to pay their counsel, their counsel shall nevertheless file any notice of appeal requested by their clients. At that point, if defendants meet the financial criteria for appointment of counsel under the Criminal Justice Act, 18 U.S.C. § 3006A, and cannot afford to pay counsel, the Court will consider appointing counsel to represent them. Counsel shall inform defendants of their right to appeal and the fourteen-day time limit for filing a notice of appeal.

BY THE COURT:



JAN E. DUBOIS, J.